IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17158 of 2004

Between:

1. Sri Vinod Kumar Kedia, S/o Banwari Lal Kedia,
   r/o 5-9-22/52, Adarshnagar, Hyderabad.
2. Sri Hitesh Kedia, S/o Vinod Kumar Kedia,
   r/o 5-9-22/52, Adarshnagar, Hyderabad.
3. Sri Sumeet Kedia, S/o Vinod Kumar Kedia,
   r/o 5-9-22/52, Adarshnagar, Hyderabad.

..... PETITIONERS

AND

1 The District Collector, Ranga Reddy District,
Having its office at Khairtabad, Hyderabad - 500 004.
2 The Land Acquisition Officer, Hyderabad Urban Development Authority, Begumpet, Hyderabad - 500 016.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ, order or direction preferably a writ in the nature of writ of certiorari calling for the records relating to notification under Section-4 of the Land Acquisition Act with No. G2/3174/2004, dt. 19-6-2004 issued by the first respondent and quash the same as illegal, arbitrary and violative of Article-14 of constitution of India, and direct the respondent No.2 to conduct enquiry under Section-5A of the Act by giving opportunity to the petitioner.

For the Petitioner: MR.RESU.MAHENDER REDDY, Advocate

For the Respondents : GP FOR LAND ACQUISITON

The Court made the following :

ORDER:

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Learned counsel for the petitioners submits that after filing the writ petition, notice to conduct Sec.5-A enquiry under the Land Acquisition Act, 1894 (for short "the Act") has been issued to the petitioners fixing the date for enquiry on 15-10-2004.

In view of the same, the petitioners can very well participate in the enquiry and raise objection that the land which is sought to be acquired is not needed for public purpose during the enquiry and in the event, if the petitioners fail to convince the authorities in getting the lands deleted from the acquisition notification issued under Section 4(1) of the Act, it is always open for the petitioners to challenge the acquisition after 5-A enquiry and after publication of declaration under Sec.6 of the Act.

With the above direction, the writ petition is disposed of.

11-10-2004

kmr

To

1 The District Collector, Ranga Reddy District,
Having its office at Khairtabad, Hyderabad - 500 004.
2 The Land Acquisition Officer, Hyderabad Urban Development Authority, Begumpet, Hyderabad - 500 016.

3. 2CCs to the Govt., Pleader for Land Acquisition, High Court Buildings, Hyderabad (OUT)

4. 2CD copies